



03/23/05

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RESPONSE UNDER 37 C.F.R. 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 3731

PATENT  
Attorney Docket No. 101.0054-03000  
Customer No. 22882

ZZa  
AF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	Confirmation No.: 7817
Gary K. Michelson	)	
Serial No.: 10/090,506	)	Group Art Unit: 3731
Filed: February 27, 2002	)	Examiner: Uyen Ho
For: MILLING INSTRUMENTATION	)	
AND METHOD FOR PREPARING	)	
A SPACE BETWEEN ADJACENT	)	
VERTEBRAL BODIES	)	

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**CERTIFICATE OF MAILING VIA U.S. EXPRESS MAIL**

Express Mail Mailing Label No. ED543090789US

Date of Deposit: March 21, 2005


I hereby certify that:

1. Transmittal Form (in duplicate; total amount of \$180.00 to cover the IDS fee is to be charged to Deposit Account No. 50-1066)
2. Amendment After Final
3. Information Disclosure Statement Under 37 C.F.R. § 1.97(d) and Form PTO-1449 with 3 documents
4. Self-addressed return postcard receipt

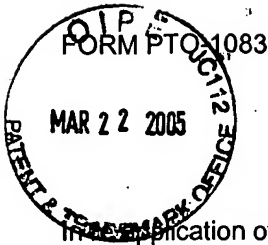
are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service with sufficient postage under 37 C.F.R. § 1.10 on the date indicated above and are addressed to:

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Date: March 21, 2005

  
Sandra L. Blackmon

1557 Lake O'Pines Street, NE  
Hartville, Ohio 44632  
Telephone: 330-877-0700  
Facsimile: 330-877-2030



Attorney Docket No.: 101.0054-03000  
Customer No. 22882  
Express Mail Label No. ED543090789US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of:

Gary K. Michelson

Serial No: 10/090,506

Filed: February 27, 2002

For: MILLING INSTRUMENTATION AND METHOD  
FOR PREPARING A SPACE BETWEEN  
ADJACENT VERTEBRAL BODIES

Confirmation No.: 7817

Art Unit: 3731

Examiner: Uyen Ho

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is a reply to the Final Office Action dated January 4, 2005 in the above-identified application.

- ☐ No additional fee is required.
- ☐ Applicant hereby requests a \*\*\*-month extension of time to respond to the above office action.
- ☐ Information Disclosure Statement Under 37 C.F.R. § 1.97(d) and Form PTO-1449 with 3 documents are enclosed

The fee has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT		(Col. 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA*	LG/SM \$ ENTITY FEE	ADD'L FEE DUE
TOTAL CLAIMS FEE	46	-	48 **	0	LG=\$50 SM=\$25	\$ 0
INDEPENDENT CLAIMS FEE	2	-	3 ***	0	LG=\$200 SM=\$100	\$ 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS					LARGE ENTITY FEE = \$360 SMALL ENTITY FEE = \$180	\$ 0
TOTAL						\$ 0

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box on Col. 1 of a prior amendment or the number of claims originally filed.

- ☒ The total amount of \$180.00 to cover the IDS fee is to be charged to Deposit Account No. 50-1066.
- ☒ The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-1066. A copy of this sheet is enclosed.
- ☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims
- ☒ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,  
MARTIN & FERRARO, LLP

Date: March 21, 2005

By: 

Thomas H. Martin  
Registration No. 34,383

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